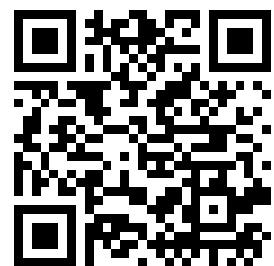

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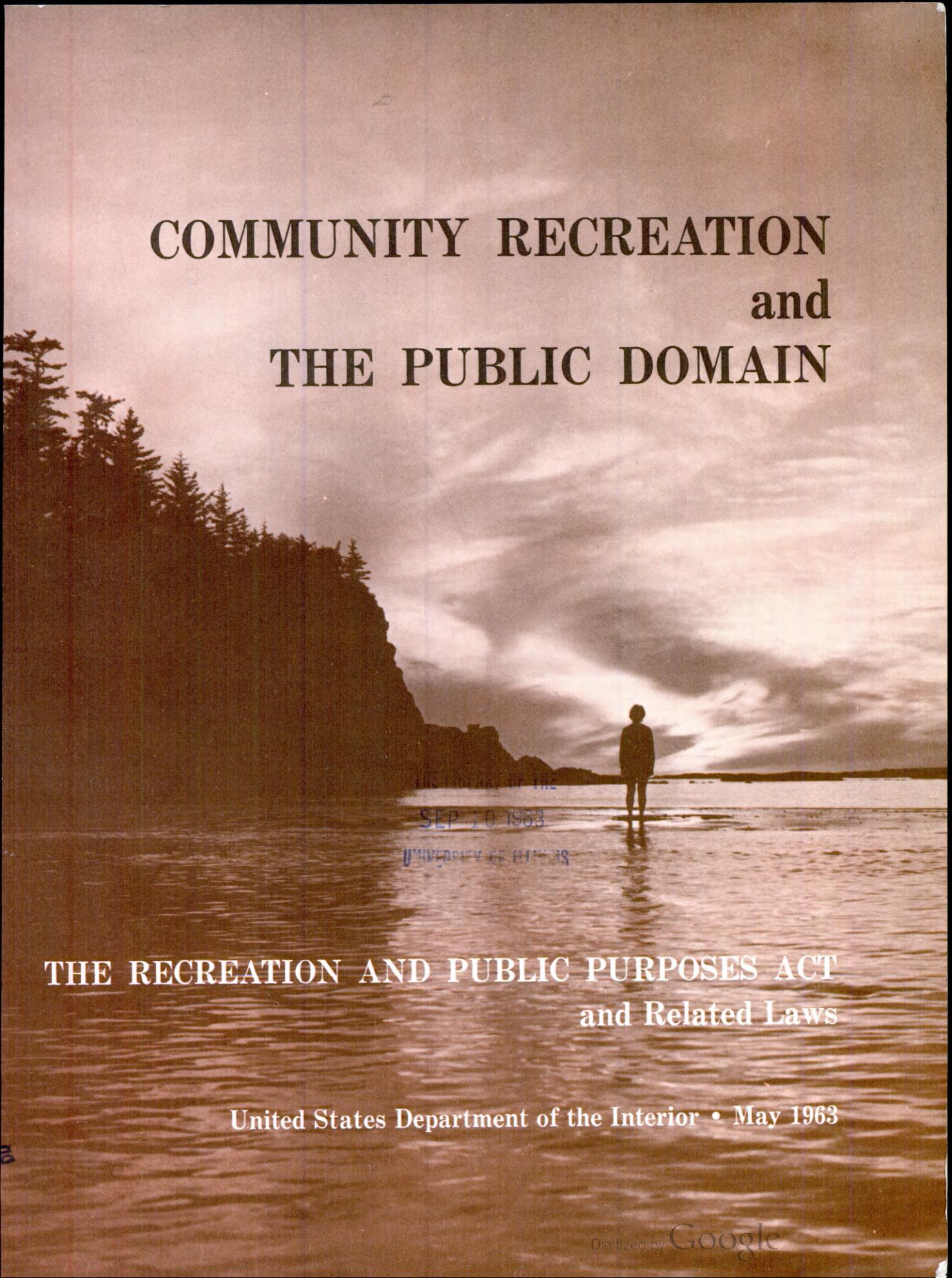
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COMMUNITY RECREATION
AND THE PUBLIC DOMAIN



COMMUNITY RECREATION and THE PUBLIC DOMAIN

OF THE
SEP 10 1963
UNIVERSITY OF OREGON

THE RECREATION AND PUBLIC PURPOSES ACT
and Related Laws

United States Department of the Interior • May 1963



America's Department of Natural Resources

Created in 1849, the Department of the Interior—America's Department of Natural Resources—is concerned with the management, conservation, and development of the Nation's water, wildlife, mineral, forest, and park and recreational resources. It also has major responsibilities for Indian and Territorial affairs.

As the Nation's principal conservation agency, the Department works to assure that nonrenewable resources are developed and used wisely, that park and recreational resources are conserved for the future, and that renewable resources make their full contribution to the progress, prosperity, and security of the United States—now and in the future.

UNITED STATES DEPARTMENT OF THE INTERIOR

Stewart L. Udall, Secretary

May 1963

Community Recreation and the Public Domain

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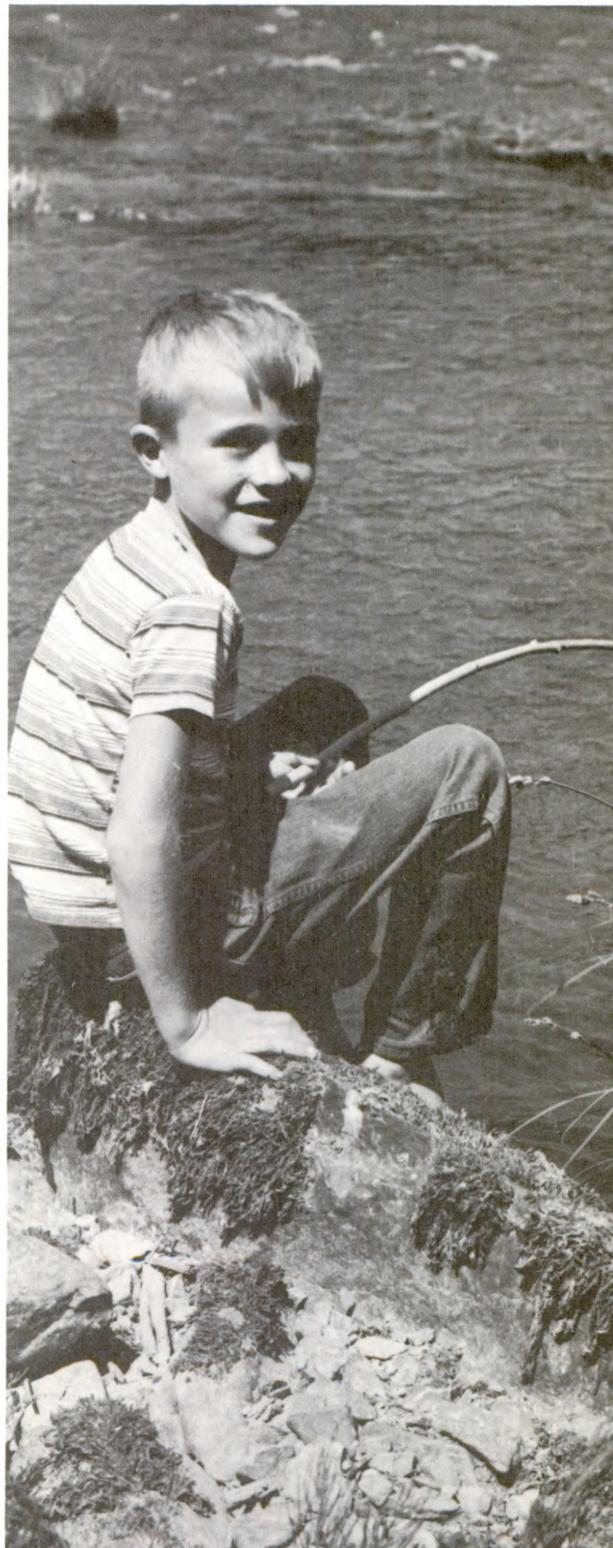
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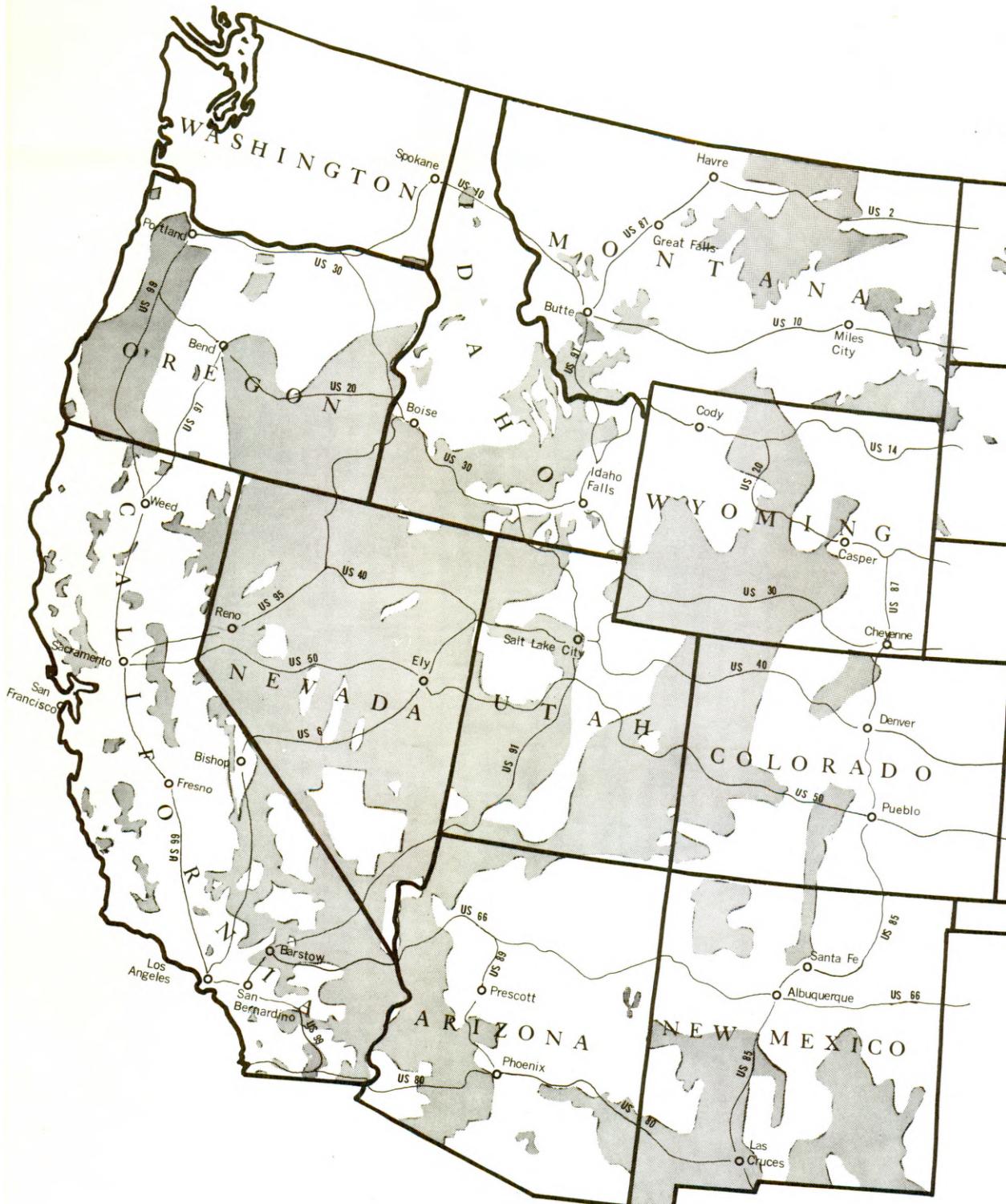
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Cover: Sunset Bay State Park, Oregon, is an aptly named example of the recreation areas transferred from the public domain to State and local agencies under the Recreation and Public Purposes Act.





**LANDS ADMINISTERED
BY THE
BUREAU OF LAND MANAGEMENT**

United States Department of the Interior
Bureau of Land Management

June 1962



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INTRODUCTION

SINCE World War II, Americans have expressed a dynamic and accelerating interest in outdoor recreation. Our expanding urban population, increased mobility, and the assurance of increased leisure and of larger incomes, have created an urgent need for action. We must assure that we and our children may realize the physical and mental benefits provided by enjoyment of the outdoors.

Already, location of suitable land is the most critical factor limiting the scope of outdoor recreation opportunities. Planning agencies and government officials at all levels must act now and act vigorously if lands essential to serve this need are to be available for future use.

To help promote the wisest use of Federal lands for long-term public benefit, the U.S. Government encourages States and local governments to lease or purchase suitable tracts of public domain lands and to develop them for public outdoor recreation purposes. Public domain lands are, with minor exceptions, those which have been continuously in Federal ownership since they first became part of the United States.

The Recreation and Public Purposes Act (along with certain other laws) authorizes conveyance of public domain lands—with certain exceptions and conditions—if the tracts selected are not needed for Federal purposes and if the department having jurisdiction consents to their conveyance.

The Department of the Interior has jurisdiction over 96 percent of the 509 million acres of land potentially available for such conveyance. Its Bureau of Land Management (BLM) administers some 177 million acres in 27 States, mainly in the West. In addition, there are over 300 million acres in Alaska. Much of the opportunity for meeting future needs for open space and outdoor recreation in the western third of the Nation and in Alaska rests upon these lands.

Already being used for grazing, mining, water impoundments, and other productive purposes, the public lands also have major recrea-

tion assets. Some of the most spectacular desert scenery and rugged mountain and canyon country in the United States are found on these lands. Some tracts border routes of travel used by vacationists and local recreationists; frequently they are adjacent to or lie close to population centers, or to national and State parks, national forests, wildlife refuges, and other areas used for outdoor recreation.

Under special authority, BLM administers about 2 million acres of revested Oregon & California Railroad and Coos Bay Wagon Road grant lands in western Oregon. These are heavily forested, highly scenic areas where sustained-yield timber production is the major activity—but where recreation potential also is outstanding.

Millions of people already are using the public lands for camping, hunting, fishing, and related activities, but as recently as 1962 in most States relatively little had been done to provide for orderly recreation use or to provide facilities for the public. In 1962, for the first time, funds were allocated to the Bureau of Land Management under the accelerated public works program for development of recreation facilities on public lands in economically depressed counties in a number of Western States.

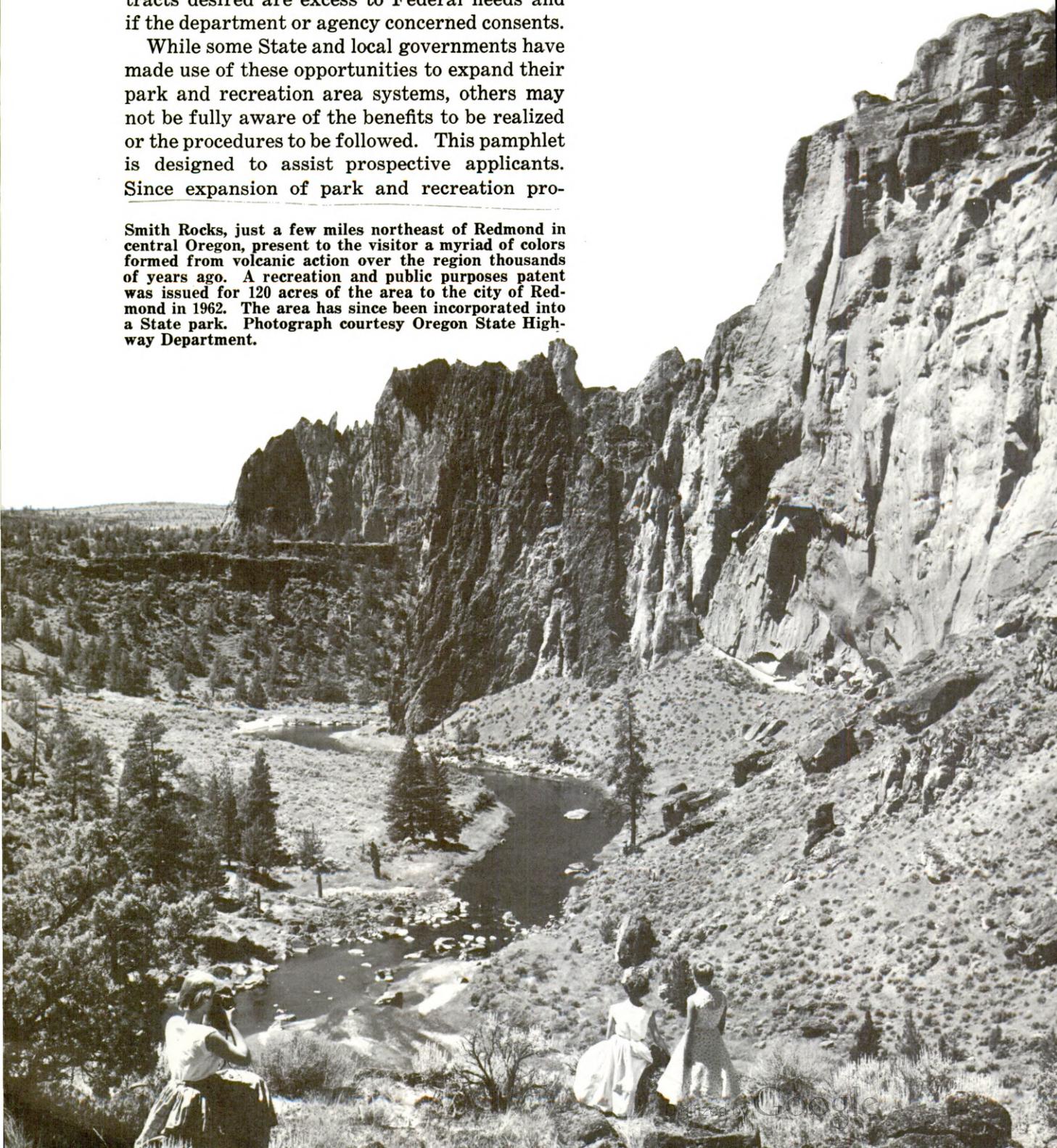
The Bureau also is cooperating with other Federal and State agencies in a program designed to achieve coordinated wildlife, recreation, and other resource management activities on substantial portions of the public lands. Fourteen management areas totaling 810,570 acres were established in 1961 and 1962 in California. In other States similar programs are progressing.

Between 1955 and 1962, about 35,000 acres administered by BLM were patented under the Recreation and Public Purposes Act for recreation purposes and more than 135,000 acres were placed under lease, mostly in Arizona. In addition, the Bureau is outlining a program for the installation of recreation facilities with Federal funds in areas where a long range program of balanced use management is underway. However, full utilization of the public lands for recreation has barely begun.

In addition to the public domain lands under the jurisdiction of the Department of the Interior, approximately 47 million acres of public domain are administered by other Federal departments and agencies. Under certain limited conditions, portions of these lands may be leased or purchased for public purposes under the Recreation and Public Purposes Act, if the tracts desired are excess to Federal needs and if the department or agency concerned consents.

While some State and local governments have made use of these opportunities to expand their park and recreation area systems, others may not be fully aware of the benefits to be realized or the procedures to be followed. This pamphlet is designed to assist prospective applicants. Since expansion of park and recreation pro-

grams is a principal purpose for which public domain lands are leased or patented under the laws discussed in this publication, the use of these laws to provide for public outdoor recreation is given special emphasis. Applications under the act for tracts for other public and quasi-public purposes are handled by generally similar procedures.



Smith Rocks, just a few miles northeast of Redmond in central Oregon, present to the visitor a myriad of colors formed from volcanic action over the region thousands of years ago. A recreation and public purposes patent was issued for 120 acres of the area to the city of Redmond in 1962. The area has since been incorporated into a State park. Photograph courtesy Oregon State Highway Department.

THE RECREATION AND PUBLIC PURPOSES ACT

IN 1954, Congress enacted the Recreation and Public Purposes Act (68 Stat. 173; 43 U.S.C. 869 et seq.; and vide 43 CFR, part 254) as a complete revision of the Recreation Act of 1926 (44 Stat. 741), and later amended it to make it more liberal. This act authorizes the Secretary of the Interior, under specified conditions, to sell or lease public domain lands to States and local governments for recreation and other public purposes and to qualified nonprofit organizations for public and quasi-public purposes, including recreation, education, and health. The texts of the amended act and of part 254 of Title 43 of the Code of Federal Regulations are reproduced in the appendix of this booklet.

Who Is Eligible To Apply?

Qualified applicants include State governments, State instrumentalities, and political subdivisions, including counties and municipalities, and bona fide nonprofit associations and corporations. Nonprofit organizations may purchase or lease lands for public or quasi-public purposes, as distinguished from a private interest, if they meet qualifications as deter-

mined for each case by the Secretary of the Interior. Schools and universities, research institutions, hospitals, and charitable organizations may qualify, as may such service groups as Boy Scouts, Girl Scouts, YMCA's, sportsmen's associations, civic groups, and others whose activities are designed to benefit their members or the general public.

Alaska Methodist University, located about 4 miles southeast of Anchorage, Alaska, is situated on 505 acres of land patented under the Recreation and Public Purposes Act.



Purposes for Which a Lease or Patent May Be Issued

The term "recreation" is interpreted in a broad sense for the purposes of this act. Included are expansion of existing parks and establishment of new parks and recreation areas, campgrounds, picnic areas, sites for boating, swimming, skiing and other water and winter sports, county and municipal playgrounds, hunting and fishing camps, and a wide range of outdoor activities. The definition also provides for group recreation, such as youth and institutional camps, sites for civic organization recreation, and outdoor education programs.

Also included are wildlife improvements such as the installation of structures and improvement of habitat. Less intensive recreation uses of land, such as hunting, fishing, sightseeing, hiking, or rock collecting ordinarily are not the basis for a lease or patent unless sub-



South Mountain Park in Phoenix, Ariz., is the world's largest municipal park. Approximately 15,000 acres were patented under the Recreation and Public Purposes Act in 1924. Photograph courtesy the Phoenix Gazette.

stantial financial investments in facilities are proposed, or unless the tract is needed to complement a program on adjoining lands.

"Other public purposes" may include public health and education projects for publicly owned facilities, such as schools, hospitals, waterworks, sewage plants, and sanitary land fills.

Accredited educational institutions may obtain lands for uses which are an integral part of their educational program, such as classrooms, laboratories, research facilities, dormitories, and playgrounds.

Approved charitable and health organizations are qualified to apply for land for hospital facilities, including clinics, laboratories, outpatient departments, and training programs, for health research and treatment centers, water-pollution abatement or prevention facilities, and similar projects.



What Lands are Covered by the Act

The act applies to all public domain lands, except those specifically excluded—lands in the national forests, national parks and monuments, national wildlife refuges, and Indian lands. Lands located within these categories can be leased or sold under the act only after the withdrawal order which segregated the land for these purposes is revoked or amended.

One of Oregon's few State parks off a major highway is Susan Creek State Park located 30 miles east of Roseburg. The area, consisting of 148 acres, was leased to the State of Oregon in April 1962 for a 20-year period. Photograph courtesy Oregon State Highway Department.



Land which has been acquired or reacquired by the Federal Government by purchase, gift (other than gift under sec. 8 of the Taylor Grazing Act), or certain court or congressional actions is not public domain land and is not subject to the act. However, the leasing provisions of the act as they relate to public agencies do apply to the revested Oregon & California Railroad lands and Coos Bay Wagon Road lands in western Oregon.

Public domain lands administered by departments and independent agencies outside the Department of the Interior may be leased or sold only under certain circumstances. They are not available under this act if they are essential for Federal purposes or programs and where the department or agency withholds consent. Although these public domain lands contain some areas of potential recreation significance, leases or sales under the act are seldom made.

In some cases, lands which are not public domain may be available for recreation purposes under other acts. Lands which have been declared surplus to Federal needs are subject to disposition under the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), and related laws. Such surplus lands will be either public domain which has been substantially altered in character by the installation of improvements, or otherwise, or other lands acquired or reacquired by the Federal Government.

If the Secretary of the Interior determines that any such lands, including any improvements on them, are suitable and desirable for public park or recreation purposes, the General Services Administration may dispose of

them to States and local governments for 50 percent of the fair market value based on the highest and best use at the time.

The following table lists the total acreages of the public domain (excluding public domain to which the act does not apply) by Federal departments and independent agencies having jurisdiction as of June 30, 1961. These figures are derived from the Bureau of Land Management *Public Lands Statistics*, 1962, table 9, published by the Department of the Interior and based on the inventory by the General Services Administration.

Public Domain Lands to Which the Recreation and Public Purposes Act May Apply

Only a very small portion of these lands actually will be found to be suitable and available under the act. No inventory has been made of specific tracts of land that may be available.

	Acres
Department of Agriculture:	
Agriculture Research Service-----	346, 306
Soil Conservation Service-----	18, 379
Department of Defense:	
Army -----	4, 552, 049
Air Force-----	8, 773, 761
Navy-----	1, 162, 716
Corps of Engineers—Civil-----	794, 693
Department of the Interior:	
Bureau of Mines-----	12, 337
Bureau of Land Management-----	484, 339, 094
Bureau of Reclamation-----	7, 624, 647
Treasury Department: Coast Guard-----	66, 704
Atomic Energy Commission-----	1, 460, 786
Federal Aviation Agency-----	98, 092
Other Departments and Agencies-----	48, 707
Total-----	509, 298, 271

Nearly 92 percent of the public domain land to which the Recreation and Public Purposes Act and related laws apply is under the jurisdiction of the **Bureau of Land Management**. The opportunities for securing land for recreation purposes from other agencies are more restricted.

The **Bureau of Reclamation** administers public domain land for storage reservoirs and other project facilities, project lands in farm units, and lands withdrawn for investigation as potential future projects. From time to time some portions of this land may be determined to be excess to reclamation needs and so become avail-

able under the Recreation and Public Purposes Act. However, practically the entire area having recreation value is already encompassed in existing recreation management programs. By the end of 1961 there were 189 recreation areas on reservoir projects, covering 2,256,783 acres of land, with an additional 1,411,539 acres of water surface. Responsibility for recreation in these areas usually resides with non-Federal agencies under formal agreements with the Bureau of Reclamation. The public domain lands under the Bureau's jurisdiction quite often are interspersed with acquired lands, which are not available under the Recreation and Public Purposes Act. This factor complicates use of the act for transfer of tracts to non-Federal agencies and organizations.

A considerable acreage of the public domain administered outside the Department of the Interior is controlled by the **military departments**. Such land may be leased or purchased under the Recreation and Public Purposes Act only if such uses do not interfere with military programs. Usually, if the land is available at all, it is leased by the department concerned, or a license permitting specified uses may be issued. When appropriate, the military departments will provide for public access and use of portions of their holdings for hunting, fishing, and other recreation. They may sometimes enter into agreements with other Federal, State, or local agencies for the conservation and management of fish and wildlife and other natural resources.

The **Federal Aviation Agency** administers public domain land for various types of aviation and aerial navigation aid facilities. On occasion, suitable tracts may be leased or purchased for recreation and other public purposes under the act. The proposed use must be compatible with the operation of the Agency's facilities and the right of flight in the airspace must be assured. Structures erected on such tracts may not violate any technical standards of the Agency.

The **Atomic Energy Commission** does not ordinarily relinquish land for recreation purposes. It cooperates, however, in the preparation of comprehensive plans for use of any of its lands excess to its direct needs. If a tract identified as desirable for recreation is no longer needed by the Commission it can be made

available for community purposes within the terms of its authority.

Coast Guard lighthouse properties and other facilities, if they become obsolete to their original purpose, comprise a category of Federal lands which often offer valuable recreation opportunity. If these sites are not required for other Federal programs, they may become available for disposition first to State and local government agencies and second to organizations or individuals. Normally, because of the physical installations on them, they are offered as surplus property under the Federal Property and Administrative Services Act; but if public domain land involved is not substantially altered it may be subject to the Recreation and Public Purposes Act.

Within the U.S. Department of Agriculture, the **Agricultural Research Service** administers some 346,000 acres in several Western States for continuing research and development projects. Consequently, such lands usually are not available for recreation uses.

Additional statistics and information concerning lands in any State that are potentially available under the act may be obtained from State and district offices of the Bureau of Land Management.

How Much Land May Be Leased or Purchased?

The act sets no limitation on the amount of land which may be leased. Leasing often is a desirable, and sometimes essential, step prior to patent. This may be true when large acreages are involved, or while the development plan is being put into effect, or when there is uncertainty about the ability of the applicant to complete the development plan in a reasonable period of time. It may be appropriate, for example, for a county to lease land for a sanitary land fill until such time as it is ready to develop the area as a park, golf course or recreation site.

A State may purchase for recreation purposes not more than 6,400 acres annually, involving not more than three sites; also small roadside parks and rest sites of not more than 10 acres each, as may be needed. It may receive title in its own name, in the name of the State park agency, or in the name of any other agency des-

gnated by the Governor as its sole representative to accept such land for recreation purposes. In addition, any State agency may acquire 640 acres annually for each public-purpose program other than recreation.

Political subdivisions of a State and nonprofit organizations may purchase not more than 640 acres a year for recreation purposes, and an additional 640 acres for other public purposes. These lands must be within the political bound-

aries of the agency or within the area of jurisdiction of the organization or, in the case of municipalities, they must lie within convenient access to the municipality and within the same State.

The maximum acreages and number of sites available for purchase are not goals, but ceilings set by law. Whether the land is to be purchased or leased, the Bureau of Land Management will classify for purposes of the act only the amount

A rustic sign gives information on the famed John Day fossil beds, estimated by geologists to be 30 million years old. This Oregon State park was patented under the Recreation and Public Purposes Act in 1957. Photograph courtesy Oregon State Highway Department.



Right: McDowell Mountain Regional Park, Maricopa County, Ariz., is one of six regional parks leased under the Recreation and Public Purposes Act. The photograph, courtesy of Maricopa County Recreation Department, shows a group of Boy Scouts setting up camp.



of land required for efficient operation of the projects described in the development plan. Applications should be limited to the land essential to the program concerned and to installation of facilities and other scheduled developments, with reasonable allowance for expansion.

The Cost

The act provides that sales or leases of land to States and local governments shall be at a price to be fixed by the Secretary of the Interior, by appraisal or otherwise, after taking into consideration the purpose for which the land is to be used. Public agencies may purchase land by two alternative pricing methods. Quite often the price of land to be used for purposes other than recreation, education, or public health projects will be based on 50 percent of the appraised fair market value, plus timber values where substantial commercial stands are involved. Alternatively, under special pricing schedules announced by the Secretary in 1961, public agencies may purchase land for recreation, education, and public health projects for \$2.50 an acre, with a minimum price per transfer of \$50. These prices also apply to acquisition of lands for fish and wildlife projects of the types that qualify under the Federal aid in fish and wildlife restoration programs administered by the Bureau of Sport Fisheries and Wildlife, and for "wildland" fire-protection stations.

The law specifies transfer of land for historic monument purposes shall be without charge, but such transfers will include only acreage necessary for the preservation and proper observation of the historic features or site. Subsidiary areas or protective buffer zones may be purchased in accordance with the usual procedures.

The applicant must pay the full purchase price before patent will be issued. Ordinarily,

a lump-sum payment for patent is required. If large sums are involved, installment payments may be accepted, but patent will not be issued until all payments are made.

It is possible to obtain a lease on the tract during the period purchase payments are made. Advance payment of at least 1 year's lease rental is required before a lease is issued. If a lease is relinquished, payment for each remaining full year paid will be refunded, if proper application is made.

Timber that does not have substantial commercial value is included in the price of the land at the reduced schedule. Where important stands of commercial timber exist on the tract, several alternative procedures are available:

1. Unrestricted title to the timber may be sold to the patentee at the fair market value, or the patent can give the patentee an option to buy the timber at the time the option is exercised.
2. If the timber is not important to the purposes of the application and the patentee does not object to its sale by the Government, full

title to the timber will be retained by the United States.

3. If protection of the standing timber is important to the applicant, the United States may retain title to the timber together with the right to manage it consistent with the purposes of the grant. Ordinarily this would mean that the Government would allow cutting for sanitation, salvage, and necessary land clearing under permit.

Prices to nonprofit organizations are based on appraisal of the land, after taking into consideration the purposes for which the land is to be used. Evidence of comparable sales for comparable purposes, and of grants and gifts of land or other property, may be used in determining the appraised value.

Public agencies and qualified nonprofit organizations may lease land without regard to acreage limitations for public recreation purposes, and for other purposes to which the reduced sale price applies, for 25 cents an acre, payable in advance for 5-year periods, with a minimum annual rental of \$10.

This lake is part of a 400-acre tract transferred to the Grand Lake Metropolitan Recreation District, Colorado, under the Recreation and Public Purposes Act. The plan for development calls for a golf course and picnic area.

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Some Factors Considered in Processing Applications

The act can be used most effectively if all actions taken under its authority are based on careful planning. Land included in applications for patents or leases must be designed as part of a definite, well-planned project. The development plan and construction schedule are required to insure professional programming for the future use of the land.

In evaluating an application, the Bureau of Land Management considers carefully the tract, its location and its resources, and weighs these factors in terms of the highest and best potential uses of the land. The Department of the Interior generally seeks to safeguard public lands which are, presently or potentially, most useful for their public access, recreation, or wildlife values. This is usually accomplished through continued ownership of such lands by public agencies—either local, State, or Federal. Special emphasis is given to retaining in public ownership lands which adjoin public waters. If the tract is required for a public purpose, it will not be available for the use of a limited group of prospective users such as a nonprofit organization.

In most cases, recreation sites located along major highways and near population centers are more suitable for development by non-Federal agencies and usually are available for transfer to such agencies. Sometimes joint development and operation of a site by the Bureau of Land Management or another Federal agency with a local government may be the soundest arrangement. The Federal Government often will retain responsibility for management of buffer zones adjacent to intensively developed sites.

The Bureau may approve or disapprove any application in whole or in part, or require its revision.

Terms and Conditions

The Recreation and Public Purposes Act, and Department of the Interior regulations implementing it (43 CFR 254), require a statement of the proposed use of the lands, with as much detail concerning the plan of development and improvement as is necessary to describe adequately the established or proposed project.



Two representatives from the Bureau of Outdoor Recreation aided the Bureau of Land Management in 1962 in preparing a master plan for the recreational development of approximately 60,000 acres of public land in Colorado. The master plan will be most helpful in determining tenure possibilities for the future.

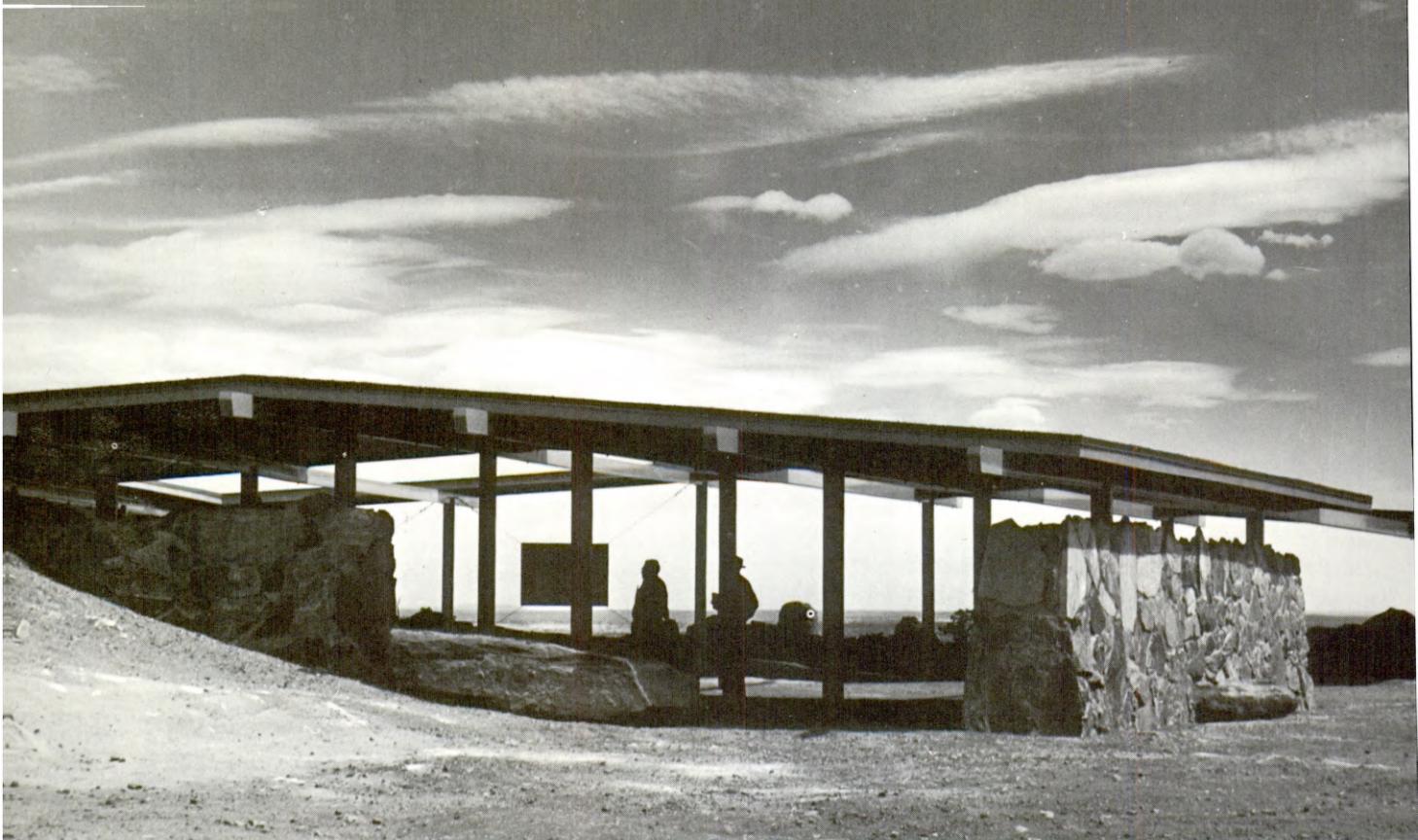
This statement should include all information the Bureau will need to determine whether the tract should be classified for the purpose sought. It should state how the tract will be administered, the anticipated expenditure for development, and the construction schedule. A map and a general development plan showing the nature and location of facilities, land ownerships of the entire project, and access routes, should be enclosed with the application. Detailed site engineering often is not required, but where it is, it may—for budgetary reasons—be submitted after the tract has been classified. Explanation of proposed maintenance responsibilities and procedures should be provided. If all or portions of the area are to be preserved in a natural state, the protective measures should be explained.

About \$3 million has been spent so far in the South Mountain Park, Phoenix, Ariz., for the development of roads, trails, camps, picnic areas, tables, fireplaces, ramadas, and indoor recreation facilities. This 15,000-acre city park is the largest municipal park in the world. Photograph courtesy Phoenix Chamber of Commerce.

The kind of statement and development plan will depend on the character of the land and its acreage, the purpose of the acquisition, the public demand to be served, and other variable factors. It need not be elaborate, but it must include as complete information as can be provided. Less detail ordinarily will be necessary for leases than for patents. The plan should anticipate the development required during the first 5 years, with general goals after that period. A principal cause of delay in processing applications has been submission of inadequate plans which require extensive revisions. If the tract is to be incorporated into a larger park or recreation area already established, the program for development of the overall area should be provided, with such modifications as the additional land entails.

In all cases where the special pricing schedule is applied a management plan will be filed by the applicant in addition to the development plan, and incorporated by reference into the lease or patent. This management plan will





contain any special reservations in addition to the standard stipulations on reversion, reservation of minerals, and nondiscrimination which are always included in leases and patents under this act. The lease or patent will provide that, if the patentee or its successor in interest does not comply with the provisions of both the approved development plan and the management plan, the lease may be canceled or title may revert to the United States. Opportunity for a hearing will be provided. However, in lieu of forfeiture of title, the Secretary or his delegate may require the patentee or his successor to pay an amount equal to the difference between the price paid for the land and 50 percent of its fair market value as of the date the patent was issued, with interest.

The Bureau of Land Management periodically reviews areas leased or sold under the act to assure continued compliance with the terms.

The patent will stipulate that the lands will be used in perpetuity for the purposes for which the land is acquired. The lease or patent may stipulate that certain provisions of the development program, including the management plan, may be subject to review by the Secretary of the Interior or his delegate. This may be done to insure that construction and other plans con-

Dead Horse Point State Park is located on the north rim of the proposed Canyonlands National Park in Utah. This shelter overlooks the Canyonlands area, with the LaSal Mountains in the background. Photograph courtesy Utah State Park Department.

form to appropriate standards or for other reasons: rights-of-way may be needed across the land; reservations for other particular public purposes may be appropriate. The applicant may be called on to provide information about visitor use and other statistical data about the area. Such reasonable stipulations as may be required are part of the consideration for the moderate charge being made for the land. An example of such a development plan and management plan is included in the appendix. Particularly in cases where joint management or development is occurring it may be appropriate to provide informational signs that indicate the cooperative nature of the undertaking.

The State office of the Bureau of Land Management will review the development and management plans to determine their adequacy and effectiveness. It will evaluate the construction schedule and estimated financing to insure they are realistic and practicable in relation to the resources available to the applicant. After the application is approved and the lease or patent granted, the plans may be modified to meet

changing circumstances, with the Bureau's approval.

All metallic and nonmetallic mineral deposits, and authorization for mining and removal of such deposits, are reserved to the United States in all leases and patents. Under certain circumstances, the Federal Government may reserve the standing timber, use of water for irrigation or other purposes, or place other limitations on the use of natural resources.

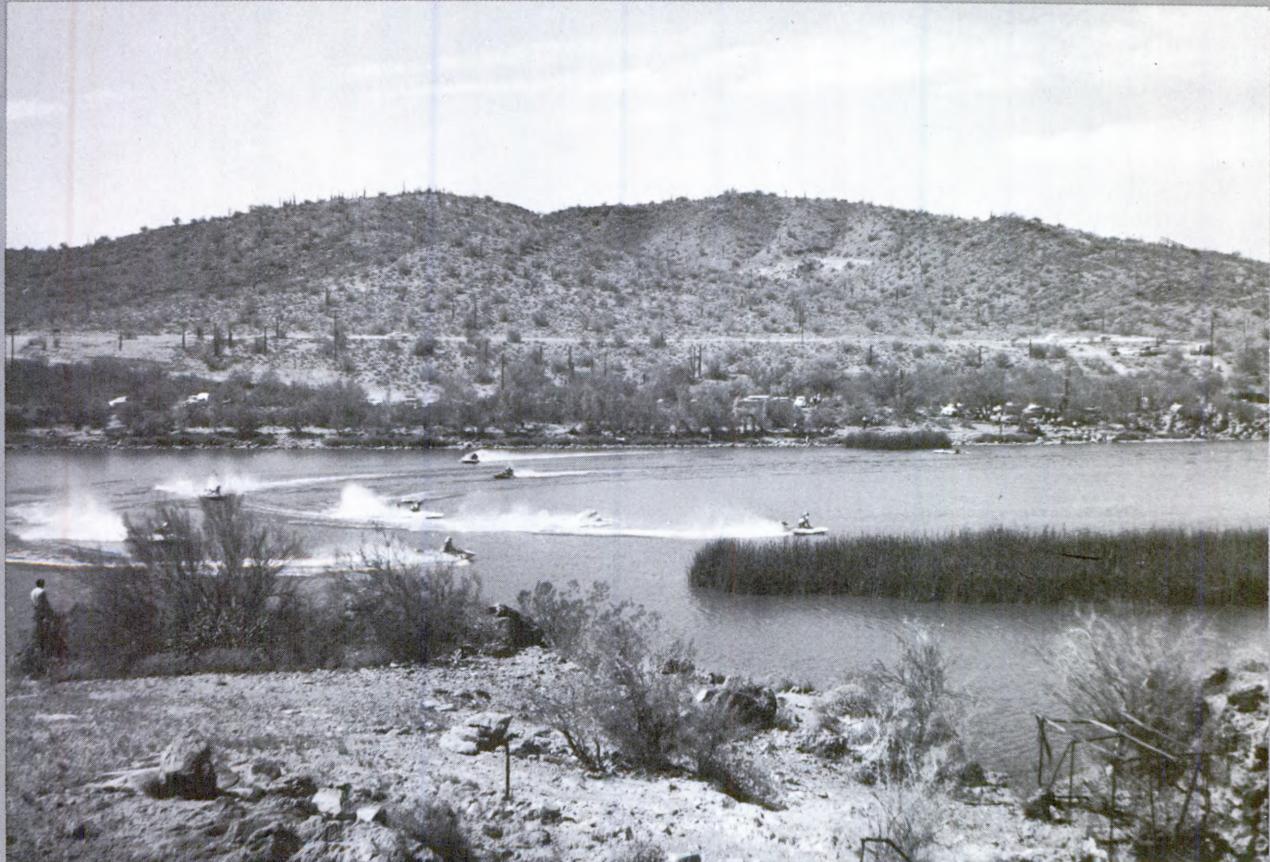
No patentee or lessee may restrict or permit restriction of the use of any lands conveyed under this act, or of any facilities thereon, because of race, creed, color, or natural origin.

The Federal Highway Act of 1958 (72 Stat. 885; 23 U.S.C. 131), as amended, and Department of the Interior regulations (43 CFR 254)

Lake Pleasant Regional Park, Maricopa County, Ariz., is one of six leased under the Recreation and Public Purposes Act. Because of a special pricing schedule begun in 1961, the county was able to accelerate its park program.

provide that signs on public lands adjacent to interstate or defense highways must conform with the national standards established by the Secretary of Commerce and with those established by State and local authorities.

The patentee or lessee may improve, operate, and maintain the land with its own personnel, or through concessioners or other agents. Under any arrangements, however, the authorized use and character of the land must continue to conform with the approved program, and effective control must not pass from the patentee or the lessee. Reasonable charges may be made to the public for use of facilities, by concessioner or otherwise, provided that fees are no more than those charged at comparable publicly owned installations. The schedule of charges may be subject to review and approval by the Secretary of the Interior. Leases may be issued for a period of not more than 20 years, subject to renewals.



Transfer of Title and Termination of Lease or Patent

Title to land acquired under this act may be transferred to other parties only with the consent of the Bureau. If the transfer contemplates additional or changed uses, these uses must be for approved recreation or other public purposes. The acreage limitations continue to apply. The recipient must be an agency or organization which meets the qualifications of an applicant under the act. For example, a State agency may wish to transfer title to a county park commission which will manage the tract under general supervision of the State. Each patent contains a reverter clause which returns title to the United States if the tract is used for purposes not provided for in the patent and not allowable under the act. If the patent has been issued under the special pricing schedule, failure to comply with the terms of the development and management plans may cause title to revert.

Each lease contains a termination clause which provides that, if the Bureau determines the land has not been used for the purposes specified in the lease or is being used for another purpose, the lease will be canceled. The lease may also be canceled if the terms of the development and management plans are not fulfilled, **unless modifications of the plans are approved.**

A lease may be assigned to another agency or organization with the consent of the Bureau, if the assignee meets the qualification of an applicant under the act. The lessee may surrender the lease or any part of it by filing a relinquishment with the Bureau.

How Interested Parties Should Proceed

Agencies and organizations intending to submit applications may wish to advise the Bureau of Land Management State Director of their long-range needs so that the Bureau can recognize this interest while inventorying the recreation resources on the public lands and identifying land for future recreation use and development. The Bureau can then evaluate other requests that may be submitted for the same lands in accordance with a definite program. When interest is expressed in a particular tract, the Bureau can classify the land for



the desired purpose in order to withhold it from other disposal for 18 months while the application is being prepared.

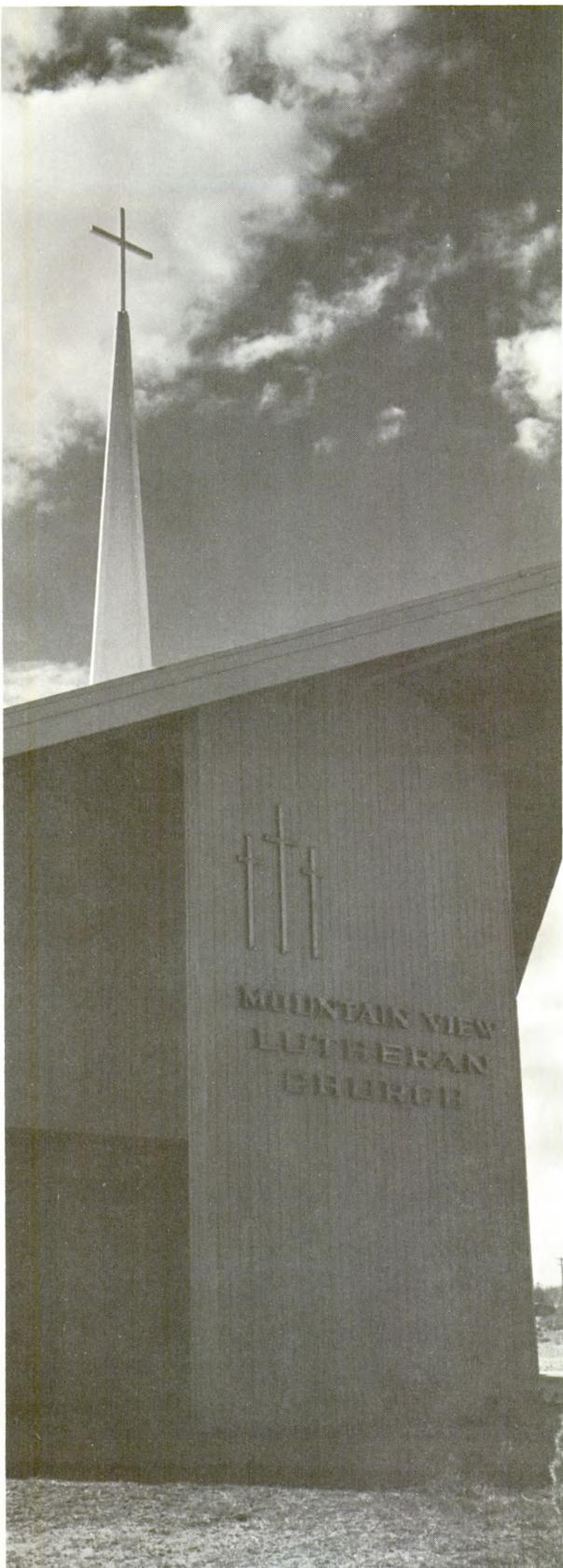
The time of filing may affect the period of processing, since applications received late in the field season or during the winter months may relate to areas where field investigations must be deferred until the following spring. Delay also may result from the presence of un-



patented mining claims since it is necessary to determine the validity of these claims before acting on the applications. Similarly, when lands are sought which have been withdrawn for power or other particular purposes, or which are under the jurisdiction of agencies outside the Department of the Interior, considerable time may be required to secure the necessary approvals.

The Grand Junction, Colo., district manager of the Bureau of Land Management presented patent to 340 acres of choice recreation land to county officials of Mesa County in 1963.

The Bureau of Land Management will classify and appraise lands, have necessary surveys made, and identify mining claims and other conflicting or adverse claims observed on the ground. Bureau personnel in the State and district offices will assist prospective applicants



in locating suitable tracts and in other ways as their time permits.

The Bureau of Outdoor Recreation of the Department of the Interior will review all applications received by the Bureau of Land Management for lease or sale of land for recreation purposes. It will selectively make comments and recommendations in determining if the applicant is an appropriate agency to handle the proposed development; if the proposal comprises a desirable and suitable recreation area; if the proposed developments are proper and adequate for the purposes they are intended to serve; and if the proposal conforms to a State or regional plan for park and recreation areas when such a plan is available. If necessary, it may conduct field investigations. Similarly, applications submitted for education and public health purposes will be reviewed by the Department of Health, Education, and Welfare for such evaluation and other comments as that Department deems appropriate.

Preparation of Applications

Agencies or organizations interested in leasing or purchasing tracts of the Federal public domain should submit applications on BLM's form 4-1267. Application forms may be obtained from any BLM State, land, or district office and their personnel may be available for assistance in completing applications.

An applicant should complete the following steps in preparing applications:

1. Determine that it is qualified to be an applicant under the act, and secure evidence that it is legally empowered to lease or hold title to land.

2. Insure that all the lands applied for are needed to accommodate a definite project that serves an actual need, and that the project meets the established criteria.

3. Check BLM land office records to ascertain the status of the lands, their availability and the character of any conflicting interests, and their legal description.

4. Consult with the department or agency concerned to get its views concerning the transfer of lands, if they are not under the jurisdiction of the Department of the Interior.

5. Prepare a statement and a general development plan, and also a management plan if the

reduced price schedule applies, as described under *Terms and Conditions*.

6. Support the application with a clear, concise statement of the financial backing for the project, and show the disposition of any revenues.

7. Provide a schedule of estimated construction costs and timetable.

Completed applications should be submitted to the BLM land office serving the State in which the tract is located. After the land concerned

is classified by the Bureau, or when so instructed by the land office, all applicants to purchase must publish a notice of the pending transfer in a designated newspaper at their own expense in order to allow parties who claim rights to the land, adverse to the applicant, opportunity to file their objections in the BLM land office.

The addresses of the BLM State offices, land offices, and district offices, and the Bureau of Outdoor Recreation field offices are given in the appendix.

The Small Tract Act

The Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682; and 43 CFR 257), as amended, authorizes the Secretary of the Interior to sell or lease tracts not to exceed 5 acres for residence, business, or recreation purposes, or for community sites. Any citizen of the United States (or person who has declared his intention to become a citizen) and any corporation, partnership, association, or government agency is eligible to purchase or lease small tracts under this act. The act applies to the public lands and to certain other public domain lands. It is not applicable to land in such reservations as national forests, national parks or monuments, or to most reserved lands.

This act is used primarily for the sale of home or cabin sites to individuals. Often it is a convenient way for nonprofit corporations or associations to lease or purchase small acreages suitable for recreation and other purposes. Occasionally, use of the Small Tract Act is a more appropriate way than the Recreation and Public Purposes Act for States and local governments to acquire and develop tracts for community facilities such as schools, public playgrounds,

and utility sites. This is particularly true for tracts within a subdivided small-tract area.

With the exception of community sites, small tracts will be sold at not less than their fair market value, usually by competitive bidding. Community sites are sold at a discount to local governments and nonprofit organizations. In such cases, the land must be permanently dedicated to the use for which it is sold, and the patent will contain a reversionary clause effective if the use is changed or terminated. Where lands are leased, the rental will equal the fair market rental, including the value of the timber, with a minimum of \$100 per tract per year for business sites and a minimum of \$25 a year for other kinds of sites. Rental for community sites will take into consideration the purposes for which the land will be used.

Information about the provisions of the Small Tract Act is contained in the Bureau of Land Management information bulletin, *Small Tracts*, available on request. Interested agencies and organizations may consult the appropriate State director or district manager for further information and advice.

The Townsite Laws

Several laws permit the establishment of townsites on public lands. Communities established under those laws can utilize designated lands for public purposes, including parks and recreation, and, where authorized, can secure title to them.

Usually the Secretary of the Interior issues an order establishing a specific area of the public domain as a townsite. The lands are surveyed into lots and plats prepared. The lots designated for public use are reserved to the

town on the plat.

In Alaska, a Federal employee may act as trustee for groups of persons who wish to form a town. The trustee receives patent to the entire area of the town, and subsequently transfers lots to individual purchasers and to the municipality when it becomes a legal entity.

Individuals or groups interested in the possibility of establishing a townsite should consult the appropriate Bureau of Land Management State office for additional information.

THE RECREATION AND PUBLIC PURPOSES ACT (As Amended)

To amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to purchase or lease public lands for certain purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 14, 1926 (44 Stat. 741; 43 U.S.C., sec. 869), entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", is hereby amended to read as follows:

"SECTION 1. (a) The Secretary of the Interior upon application filed by a duly qualified applicant under section 2 of this Act may, in the manner prescribed by this Act, dispose of any public lands to a State, Territory, county, municipality, or other State, Territorial, or Federal instrumentality or political subdivision for any public purposes or to a nonprofit corporation or nonprofit association for any recreational or any public purpose consistent with its articles of incorporation or other creating authority. Before the land may be disposed of under this Act it must be shown to the satisfaction of the Secretary that the land is to be used for an established or definitely proposed project. The Secretary may classify public lands in Alaska for disposition under this Act. Lands so classified may not be appropriated under any other public land law unless the Secretary revises such classification or authorizes the disposition of an interest in the lands under other applicable law. If, within eighteen months following such classification, no application has been filed for the purpose for which the lands have been so classified, then the Secretary shall restore such lands to appropriation under the applicable public land laws.

"(b) Conveyances made in any one calendar year shall be limited as follows:

 "(i) For recreational purposes:

 "(A) To any State or the State park agency or any other agency having jurisdiction over the State park system of said State designated by the Governor of that State as its sole representative for acceptance of lands under this provision, for not more than three sites, six thousand four hundred acres in all, except that during each of the calendar years 1960, 1961, and 1962, con-

veyances may be made for not more than six sites, comprising a total of not more than twelve thousand eight hundred acres and, in addition thereto, such acreage as may be needed for small roadside parks and rest sites of not more than ten acres each.

 "(B) To any political subdivision of a State, six hundred and forty acres.

 "(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.

 "(ii) For public purposes other than recreation:

 "(A) To any State or agency or instrumentality thereof, for any one program, six hundred and forty acres.

 "(B) To any political subdivision of a State, six hundred and forty acres.

 "(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.

 "(c) Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this Act only with the consent of such Federal department or agency, or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national forest, national park, or national monument, or national wildlife refuge, or to any Indian lands or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians, or, except insofar as this Act applies to leases of land to States and counties and to State and Federal instrumentalities and political subdivisions and to municipal corporations, to the revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon. Nor shall any disposition be made under this Act for any use authorized under any other law, except for a use authorized under the Act of June 1, 1938 (52 Stat. 609; 43 U.S.C., sec. 682a), as amended.

"SEC. 2. The Secretary of the Interior may after due consideration as to the power value of

the land, whether or not withdrawn therefor, (a) sell such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, and conveyances of such land for historic-monument purposes under this subsection shall be made without monetary consideration, while conveyances for any other purpose under this subsection shall be made at a price to be fixed by the Secretary of the Interior through appraisal or otherwise, after taking into consideration the purpose for which the lands are to be used; (b) lease such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, at a reasonable annual rental, for a period up to twenty years, and, at the discretion of the Secretary, with a privilege of renewal for a like period, (c) sell such land to a nonprofit corporation or nonprofit association, for the purpose for which the land has been classified, at a price to be fixed by the Secretary of the Interior through appraisal, after taking into consideration the purpose for which the lands are to be used, or (d) lease such land to a nonprofit corporation or nonprofit association at a reasonable annual rental, for a period up to twenty years, and, at the discretion of the Secretary, with a privilege of renewal for a like period. Each patent or lease so issued shall contain a reservation to the United States of all mineral deposits in the lands conveyed or leased and of the right to mine and remove the same, under applicable laws and regulations to be established by the Secretary. Each lease shall contain a provision for its termination upon a finding by the Secretary that the land has not been used by the lessee for the purpose specified in the lease for such a period, not over five years, as may be specified in the lease, or that such land or any part thereof is being devoted to another use.

“SEC. 3. Title to lands conveyed by the Government under this Act may not be transferred by the grantee or its successor except, with the consent of the Secretary of the Interior, to a transferee which would be a qualified grantee under section 2 (a) or (c) and subject to the

acreage limitation contained in section 1(b) of this Act. A grantee or its successor may not change the use specified in the conveyance to another or additional use except, with the consent of the Secretary, to a use for which such grantee or its successor could obtain a conveyance under this Act. If at any time after the lands are conveyed by the Government, the grantee or its successor attempts to transfer title to or control over these lands to another or the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States.

“SEC. 4. The Secretary may authorize transfers of title or changes in use in accordance with the provisions of section 3 of this Act with respect to any patent heretofore issued under any Act upon application by a patentee qualified to obtain a conveyance under section 2 (a) or (c) of this Act. If the Secretary, pursuant to such an application, authorizes such transfer or use, all reverter provisions and other limitations on transfer or use, under this or any other Act affecting the lands involved, shall cease to be in effect twenty-five years after the Secretary authorizes the transfer or use for a changed or additional purpose under the provisions of this section.

“SEC. 5. The Act of September 30, 1890, entitled ‘An Act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes’, and the Act of October 17, 1940, entitled ‘An Act to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska’, are hereby repealed.

“SEC. 6. All moneys received from or on account of any vested Oregon and California Railroad grant lands or reconveyed Coos Bay Wagon Road grant lands under this Act shall be deposited respectively in the Oregon and California land-grant fund and the Coos Bay Wagon Road grant fund, and shall be applied in the manner prescribed respectively by title II of the Act of August 28, 1937 (50 Stat. 875), as amended (43 U.S.C. 1181f), and by the Act of May 24, 1939 (53 Stat. 753).”

Public Law 386, 69th Congress; Public Law 387, 83d Congress; Public Law 66, 86th Congress; Public Law 755, 86th Congress; Public Law 292, 86th Congress



CODE OF FEDERAL REGULATIONS

TITLE 43

Revised as of January 1, 1963

PART 254—RECREATION AND PUBLIC PURPOSES

Sec.	
254.1	Statutory authority.
254.2	Who may apply.
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254.12	Lands patented under prior acts; applications for transfer and change of use.
254.13	Cooperation with the National Park Service.
254.14	Minerals; timber.
254.15	Appeals.

AUTHORITY: §§ 254.1 to 254.15 issued under 44 Stat. 741, 68 Stat. 173; 43 U. S. C. 869.

§ 254.1 Statutory authority.

The act of June 14, 1926 (44 Stat. 741), as amended June 4, 1954 (68 Stat. 173), June 23 and September 21, 1959 (73 Stat. 110, 571), and September 13, 1960 (74 Stat. 899; 43 U.S.C. 869; 869:1-4), authorizes the Secretary of the Interior, under specified conditions, to lease or sell lands for recreational and public purposes. This legislation is referred to as "the act" in the regulations of this part. [Circ. 2063, 26 F.R. 5038, June 7, 1961]

§ 254.2 Who may apply.

The following are qualified to make applications under the act; States, Federal and State instrumentalities and political subdivisions, including counties and municipalities; and nonprofit associations and nonprofit corporations. [Circ. 2063, 26 F.R. 5038, June 7, 1961]

§ 254.3 Lands subject to disposition.

The act is applicable to any public domain lands except (a) lands with-

drawn or reserved for national forests, national parks and monuments, and national wildlife refuges and (b) Indian lands and lands set aside or held for use by or the benefit of Indians. The act is applicable to the Oregon and California Railroad revested grant lands and to the Coos Bay reconveyed wagon-road grant lands only insofar as it applies to leases of land to States and counties and to State and Federal instrumentalities and political subdivisions and to municipal corporations.

[Circ. 2063, 26 F.R. 5038, June 7, 1961]

§ 254.4 Purposes for which lands may be acquired.

(a) Qualified applicants are permitted by the act to acquire available lands for use for any public purposes for which they are authorized by their creating authority to hold lands. Nonprofit associations and nonprofit corporations are permitted, in addition, to acquire lands for use for any recreational purpose consistent with their creating authority.

(b) No applicant can secure lands under the act, however, for any use authorized under any other public land law. This restriction does not apply to the use of lands for residence, business, recreation, and community-site purposes authorized by the act of June 1, 1938 (52 Stat. 609; 43 U. S. C., 682a, Part 257 of this chapter) as amended.

[19 F.R. 9121, Dec. 23, 1954]

§ 254.5 General limitations and conditions on dispositions.

(a) Applicants will not be granted title to or use of land under the act unless and until (1) the land is first classified as suitable for the purpose sought and not needed for any other public purpose or is not more valuable and suitable for some other use, including the development of power; and, (2) if the land is under the jurisdiction of any agency or instrumentality outside the Department of the Interior, that agency or instrumentality consents to the proposed disposition.

(b) Applicants will not be granted title to or use of land under the act except for an established or definitely proposed project. A definitely proposed project is a project which has been authorized by competent authority irrespective of whether or not it has been financed and otherwise fully implemented, providing that there exists the probability that it will be fully implemented within a reasonable time.

(c) No applicant in any one calendar year can receive under the act patents for land except in conformance with the following:

(1) Any State may acquire in its own name, or in the name of its State park agency, or in the name of any other agency having jurisdiction over the State park system of said State designated by the Governor of the State as

its sole representative for acceptance of lands under this provision for recreational purposes, not more than 6,400 acres involving not more than three sites, except that should any State fail in any one calendar year to receive the maximum herein specified, other than small roadside parks and rest sites, additional conveyances may be made thereafter to that State pursuant to any application on file with the Secretary of the Interior on the last day of said year, to the extent that the conveyances would not have exceeded the limitations of said year.¹ In addition, any State may acquire, in its own name or in the name of an agency or instrumentality of such State not more than 640 acres for each of its programs involving public purposes other than recreation.

(2) Any political subdivision of a State and any nonprofit corporation or nonprofit association may acquire in its own name for recreational purposes not more than 640 acres and for public purposes other than recreation an additional 640 acres.

(d) No patent will be issued under the act unless and until the land is officially surveyed.

(e) All leases and patents issued under the act will reserve to the United States all minerals, together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

(f) Municipal corporations cannot secure land under this act if it is not within convenient access to the municipality and within the same State as the municipality. Other qualified applicants cannot secure land outside of their political boundaries or other area of jurisdiction.

(g) No lease or patent authorizing use of lands for erection and maintenance of advertising displays on public lands adjacent to the National System of Interstate and Defense Highways (23 U.S.C.) will be issued under the regulations of this part, except in conformity with, and subject to, the national standards prepared and promulgated by the Secretary of Commerce. No lease or patent authorizing use of lands for erection and maintenance of advertising displays on public lands adjacent to any other highway will be issued under the regulations of this part if the proposed display would not conform with the standards or policies established by the appropriate State or local governmental entities which have authority to establish such standards or policies. Where the authorized officer finds that established standards or policies are insuffi-

¹ During calendar years 1960, 1961, and 1962, this limitation is increased to 12,800 acres involving not more than six sites, plus such acreage as may be needed for small roadside parks and rest sites of not more than 10 acres each.

cient in connection with any application under the regulations of this part adequately to promote the safety, convenience, and enjoyment of public travel, to protect the public investment in the highway or in the adjacent public lands, to preserve for the public significant scenic or other recreational values in the public lands, or otherwise to protect the public interest, he shall establish such additional standards as he may deem appropriate in the circumstances, giving due consideration to the need for directional and other official signs, the desirability of permitting, where alternative sites are not readily available, signs advertising legitimate activities being conducted at a location within a reasonable distance thereof, and the interest of the traveling public in, and its need for, specific types of information.

[19 F.R. 9121, Dec. 23, 1954, as amended, Circ. 2028, 24 F.R. 8649, Oct. 24, 1959; Circ. 2063, 26 F.R. 5038, June 7, 1961]

§ 254.6 Classifications.

(a) Lands in Alaska classified under the act and lands in the States classified pursuant to the act under section 7 of the act of June 28, 1934 (48 Stat. 1272, 43 U.S.C. 315f), as amended, will be segregated from all appropriations, including locations under the mining laws, except as provided in the order of classification or in any modification or revision thereof.

(b) Classifications made pursuant to the act on the motion of the Government for which no application is filed within 18 months after issuance will be vacated and the land restored to its former status.

[19 F.R. 9121, Dec. 23, 1954]

§ 254.7 Applications.

(a) Applicants under the act must submit, in triplicate, to the appropriate office of the Bureau of Land Management an application on Form 4-1267, executed in accordance with the instructions on the form. Each application must be accompanied by (1) three copies of a statement describing the proposed use of the lands, showing that the application involves an established or definitely proposed project, and giving as much detail concerning the plan of development and improvement of the project as is necessary to describe the project and its purpose adequately and the proposed disposition of any revenues to be realized from it and (2) a filing fee of \$10.

(b) The acreage applied for in any one application for patent cannot exceed 640 acres except that applications for patent for State park purposes may embrace as much as 6,400 acres, or where provided by law 12,800 acres.

[19 F.R. 9121, Dec. 23, 1954, as amended, Circ. 2063, 26 F.R. 5038, June 7, 1961]

§ 254.8 Purchase price and lease rentals.

(a) Conveyances under the act for

historic monument purposes will be made without any monetary consideration.

(b) Sales to nonprofit associations or nonprofit corporations for other than historic monument purposes will be made at prices fixed through appraisal of the fair market value of the land, taking into consideration the purposes for which the lands will be used.

(c) All other sales will be made at prices fixed through (1) appraisal of the fair market value of the lands or otherwise, taking into consideration the purpose for which the land will be used or (2) any method which considers the purpose for which the land will be used.

(d) Annual rentals under leases will be fair and reasonable and will be based on the value of the lands as determined by the requirements of paragraphs (b) and (c) of this section.

(e) A patent applicant, when the land has been appraised, will be required to pay the full purchase price before the patent will be issued. The rental under a lease shall be payable in advance. Upon appraisal of the land, a lease applicant will be required to pay at least the first year's rental before the lease will be issued. Upon the voluntary relinquishment of a lease before the expiration of its term, any rental paid for the unexpired portion of the term will be returned to the lessee upon a proper application for repayment to the extent that the amount paid covers a full lease year or years of the remainder of the term of the original lease.

[19 F.R. 9121, Dec. 23, 1954, as amended, Circ. 2063, 26 F.R. 5038, June 7, 1961]

§ 254.9 Lease provisions.

(a) The term of leases under the act will be fixed by the authorized official but will not exceed 20 years. Leases will be renewable at the discretion of such official.

(b) Leases will be issued on Form 4-1270 and will contain the usual terms and conditions required by law, public policy, and, insofar as possible, by Department of the Interior procedure.

(c) Leases will contain such terms and conditions which the signing officer or the administering agency considers necessary for the proper development of the land, for the protection of Federal property, and for the protection of the public interests.

(d) Leases will be terminable by the authorized official upon failure of the lessee to comply with the terms of the lease, upon a finding that all or part of the land is being devoted to other than the use authorized by the lease, or upon a finding that the land has not been used by the lessee for the purpose specified in the lease for any consecutive period specified by the authorized official but not more than 5 years or less than 2 years.

(e) Leases will not be transferable except with the consent of the proper official. Transferees must meet all the





qualifications of applicants under the act and will be subject to all the terms and conditions of the regulations in this part.

[19 F.R. 9121, Dec. 23, 1954]

§ 254.10 Publications; protests; patents; transfers.

(a) Applicants for patents under the act will be required upon demand to publish once a week for four consecutive weeks in accordance with § 106.14 of this chapter, at their expense, in a designated newspaper and in a designated form, a notice allowing all persons claiming the land adversely to file in the appropriate office their objections to the issuance of patent under the applications. A protestant must serve on the applicant a copy of the objections and furnish evidence of such service.

(b) Such applicants must file a statement of the publisher, accompanied by a copy of the notice published, showing that publication has been had for the required time.

(c) All patents under this act will contain a clause providing that if the patentee or its successor attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than that for which the lands were conveyed, without consent of competent authority or prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors (including without limitation, lessees, sublessees and permittees), to prohibit or restrict, directly or indirectly, the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, or national origin, title shall revert to the United States. Transferees must meet all the qualifications of applicants under the act and will be subject to the terms and conditions of the regulations of this part.

[19 F.R. 9121, Dec. 23, 1954, as amended, Circ. 2063, 26 F.R. 5039, June 7, 1961]

§ 254.11 Applications for transfer, change of use, and for renewal of leases.

(a) Applications under the act for permission to add to, or to change the use specified in a lease or patent, applications to transfer title or lease to a third party, and applications for renewal of a lease must be filed in triplicate with the appropriate office of the Bureau of Land Management. No form is specified but the matter should be fully explained by the applicant.

(b) Applications for permission to add to or to change use must be accompanied by three copies of the showing required by § 254.7 (a) (1).

(c) Applications for approval of transfers of title or lease must be accompanied by three copies of Form 4-1267 executed by the proposed transferee in accordance with § 254.7.

(d) Applications for renewal of leases must be accompanied by three copies of a statement showing, in detail sufficient to describe the situation adequately, the past use of the lands and the proposed use after renewal of the lease.

(e) Each application must be accompanied by a filing fee of \$10.

(f) Prior to approval of an application filed under paragraph (b) of this section the land may be reappraised in accordance with § 254.8 and the beneficiary required to make such payments as are found justified by such reappraisal.

[19 F.R. 9122, Dec. 23, 1954]

§ 254.12 Lands patented under prior acts; applications for transfer and change of use.

(a) Applications under section 4 of the act for permission to transfer title or to change the use in respect to land covered by any patent issued prior to June 4, 1954, must be submitted in conformance with § 254.11.

(b) The land, however, will not be subject to reappraisal and the beneficiary will not be required to make any payment other than the filing fee.

[19 F.R. 9122, Oct. 23, 1954]

§ 254.14 Minerals; timber.

(a) Any minerals subject to the leasing laws reserved to the United States in the lands patented or leases under the terms of the act may be disposed of to any qualified person under applicable laws and regulations. Until rules and regulations are issued, other minerals are not subject to disposition or to prospecting except by an authorized Federal agency.

(b) A lessee under the act will not be permitted to cut timber from the leased lands without prior permission from the appropriate officer.

[19 F.R. 9122, Dec. 23, 1954]

§ 254.15 Appeals.

An appeal pursuant to Appeals and Contests, Part 221 of this chapter, may be taken from the decision of the authorized officer of the Bureau of Land Management.

[19 F.R. 9122, Dec. 23, 1954]

NOTE: Paragraph 254.13 was deleted from the regulations in June 1963.

Illustration 1

Form 4-1267
(March 1963)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR RECREATION
OR PUBLIC PURPOSES

FORM APPROVED
BUDGET BUREAU NO. 42-R1223.2

Date and time received

Land Office	Serial Number
Denver	

1 Name and address of applicant:

Routt County Park Commission
P. O. Box 372
Steamboat Springs, Colorado

PREVIOUS APPLICATIONS

SERIAL NUMBERS	DATE
None	

2 Legal description of the land applied for (use metes and bounds description, if necessary):

State	Colorado	County	Routt	Meridian	6th
SECTION	TOWNSHIP	RANGE	SUBDIVISION		ACRES
27	15N	75W	NW $\frac{1}{4}$	NW $\frac{1}{4}$	40
25	15N	75W	SW $\frac{1}{4}$	NE $\frac{1}{4}$	40
					80

3. We apply to lease for a period of _____ years purchase the above described land for
 public recreational use other public purposes (specify) _____
 under the Act of June 14, 1926 (44 Stat. 791), as amended by Act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869
 Sections 1-4), and the regulations (43 CFR 254).

4. Does this application include withdrawn lands administered by an agency outside the Department of the Interior
 Yes No If "yes," give name of agency _____
 Are comments of agency attached Yes No

5. Are plans for development, use, and maintenance attached Yes No

6. Our authority to hold land for these purposes is: "Colorado Revised Statutes 1953-62-2-19"
 Is copy attached Yes No

7. Proposed disposition of revenues: All revenues derived from operation of this project
 are to be deposited into County treasury through Director of Finance, Routt County,
 to be used for operations of the Routt County Park Commission.

8. Is filing fee of \$10 enclosed Yes No

9. I, the undersigned, submit this application on behalf of the applicant by virtue of the authority granted by:

(Authorized Officer)
 Chairman, Routt County Park Commission

February 1, 1963

(Date)

(Title)

Title 18, U. S. C., Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the
 United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS
(For completing Form 4-1267)

1. Type or print plainly in ink.
2. Submit this application and related documents, in *triplicate*, to the proper Land Office for the State in which the land is located.
3. Complete blocks 1 through 9 and attach other required material.
4. Study the controlling regulations which are found in 43 CFR 254.

SPECIFIC INSTRUCTIONS
(For numbered blocks on face of form)

Item 2 - Land description: If the land is surveyed, give complete legal description. If the land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of the public land survey. Where possible, the approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by the regulations, if this is an application to purchase.

Item 4 - Write the name of the Federal Department or Agency on the second line. Check the block in the third line and submit the material only if the lands are under the jurisdiction of a Department or Agency other than the Department of the Interior.

Item 5 - Plan of development, use, and maintenance: Patents and leases under this Act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. Unauthorized deviation from the stipulations of a patent or lease can cause full fee title to revert to the United States. Thus, the plan of development submitted must illustrate the nature of and need for the proposed use, and should indicate the good faith and ability of the applicant. As a minimum, it should show:

- a. A need for the proposed development by citing population trends, shortage of such facilities in the area, etc.
- b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.

c. The type and general location of all proposed improvements, including public access. This showing may take the form of inventory lists, maps, plats, drawings, or blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites, and general information about improvements existing or planned on lands within the overall project. Detailed engineering may be deferred, until the tract has been classified.

d. An itemization of estimated development costs and construction schedule is required. This should reflect the applicant's foreseeable financial ability.

Item 6 - Authority: Applicants other than States and their political subdivisions should submit copies of their charter or other creating authority and authority to hold land.

Item 7 - Proposed disposition of revenues: State what disposition will be made of any revenue arising from the proposed operation.

Item 8 - Filing fee: Enclose a check, money order, or bank draft made payable to the Bureau of Land Management.

Item 9 - Authority to sign: Refer to the official action which authorizes the signing officer to act for the applicant. Copies of that delegation of authority must be attached.

Illustration 2

PROPOSED INDIAN CREEK PARK

Development Plan and Construction Schedule

1. Description

The proposed Indian Creek Park comprises 240 acres situated around the junction of the East and the West Forks of Indian Creek, and encompasses 1½ miles of shoreline along the streams. The site is located 25 miles northwest of Adams (population 18,000). Colorado State Highway 183, an all-weather gravel road, leads to within ½ mile of Indian Creek from U. S. Highway 40 to the south. There are no existing or known proposed public outdoor recreation facilities within 35 miles and this location is the only available site northwest of Adams. The East and the West Forks join near the mouth of a steep scenic canyon. The proposed site is on relatively level benchland supporting an open stand of large ponderosa pines and aspen. Indian Creek provides excellent trout fishing and elk, deer, and bear are numerous in the vicinity.

2. Statement of Need

This region is now subject to intense recreational pressures from the local population, especially from Adams, and to a lesser extent from tourists using Highway 40. A serious public health and litter problem has been created by use of these undeveloped lands for picnicking and overnight camping and pollution of Indian Creek by human wastes. Recent road counts along Colorado 183 indicate an average weekday traffic flow from April to October of 225 units, while weekends and holidays average 850 units. This traffic is primarily the result of people looking for places to picnic, camp, fish, hike in the mountains, or just to enjoy nature. Hunters camp in this location during the winter months. There is one public picnic area with 60 units ten miles northeast of Adams, subjected to severe overuse. During the past several years this site has shown an average weekend attendance which increased 300 percent (600 visits in 1956 to 1800 visits in 1961). The population of Adams has increased from 9,000 in 1950 to the present 18,000, which is one of the largest percentage increases in the State. With this population growth new industries have been established in the vicinity, and continued increase in population is to be expected. Scheduled resurfacing of Colorado 183 during 1963 is expected to increase the average daily summer traffic flow from 225 units to more than 1,000 units by 1965.

3. Location

The lands embraced by the proposed park are under various forms of management by this agency (see General Vicinity Map):

T. 15 N., R. 75 W., 6th Principal Meridian, Colorado

Section 21	S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	owned fee title
Section 22	S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	owned fee title
Section 27	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	leased
Section 28	S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	owned fee title leased with option to purchase own 20' easement along Indian Creek and right-of-way for vehicular traffic

The lands embraced by the instant application will be used as follows:

Section 27	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Overnight campground and development of foot trails
Section 28	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Fishing access, overlook and foot trails. No major recreational developments other than a foot bridge crossing the West Fork of Indian Creek are contemplated. This tract is desired to act as a buffer zone between intensive development as exhibited in the camp and picnic grounds and adjoining privately owned lands. Therefore, it is intended that this tract remain in its natural state.

It is urgent that the development of public outdoor recreation facilities be initiated in the Indian Creek area. Development of the proposed Indian Creek Park will not only help alleviate the intense demand for such facilities, but will also act as a spring-board for the future acquisition and development of similar sites in this area which are now in private ownership.

Illustration 3

Description of proposed improvements and estimated cost of development for lands encompassed by the proposed Indian Creek Park:

Unit 1 Indian Creek Campground (See Site Design)

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T. 15 N., R. 75 W., 6th Principal Meridian, Colorado

Surveying, planning and construction of $\frac{1}{2}$ mile interior road, 10' wide, graded gravel and crushed stone with 4" macadam surface; 10 parking units, 3" macadam surface; $\frac{1}{2}$ mile foot trail, 3' wide, gravelled.

Clearing, leveling, and developing of campsites, with 20 family units (camping).

Subtotal \$21,250

Unit 2 (See General Vicinity Map)

SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, T. 15 N., R. 75 W., 6th Principal Meridian, Colorado

$\frac{1}{2}$ mile foot trail, 3' wide, gravelled; 1 foot bridge crossing West Fork Indian Creek, 5' wide by 20' long, log-steel structure.

Subtotal 2,000

In addition to the above improvements to be placed on the lands applied for, the following amounts will be expended on county-owned or leased land in developing Indian Creek Park.

Subtotal 33,000

The cost of the lands applied for, purchase of 30 acres of privately owned land, and annual rental of leased land will require an expenditure of \$6,200 over the five-year period.

Subtotal 6,200

\$62,450

In addition to the above costs, the county will provide maintenance and custodial services.

Illustration 4

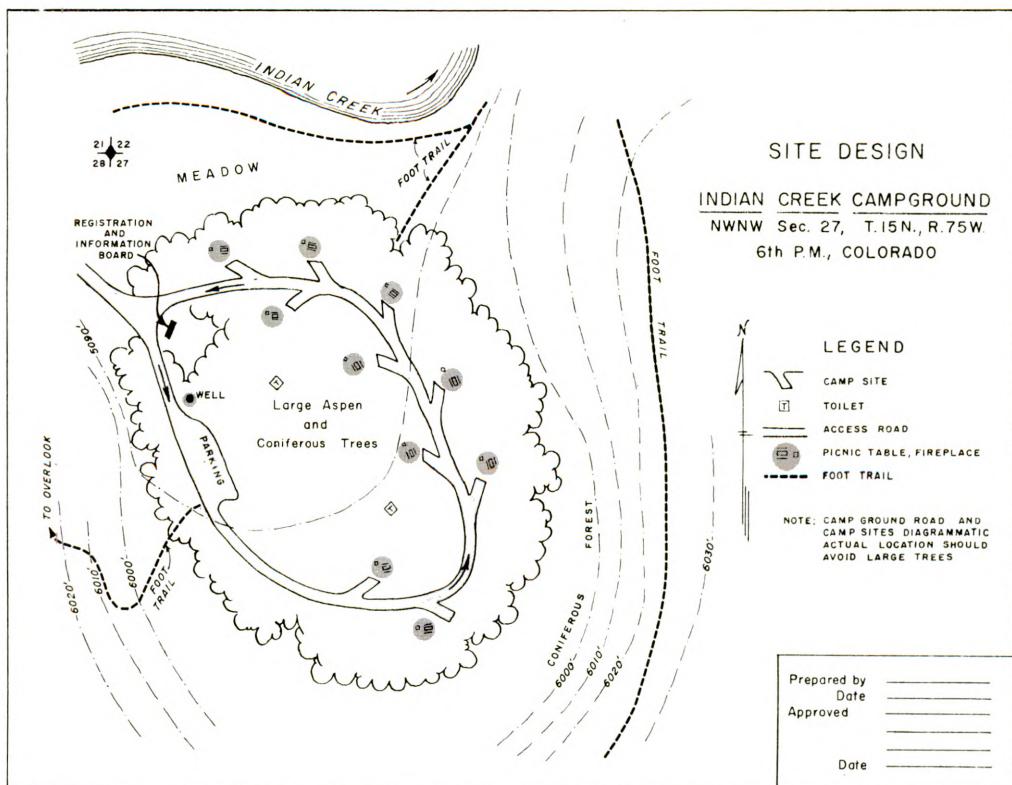


Illustration 5

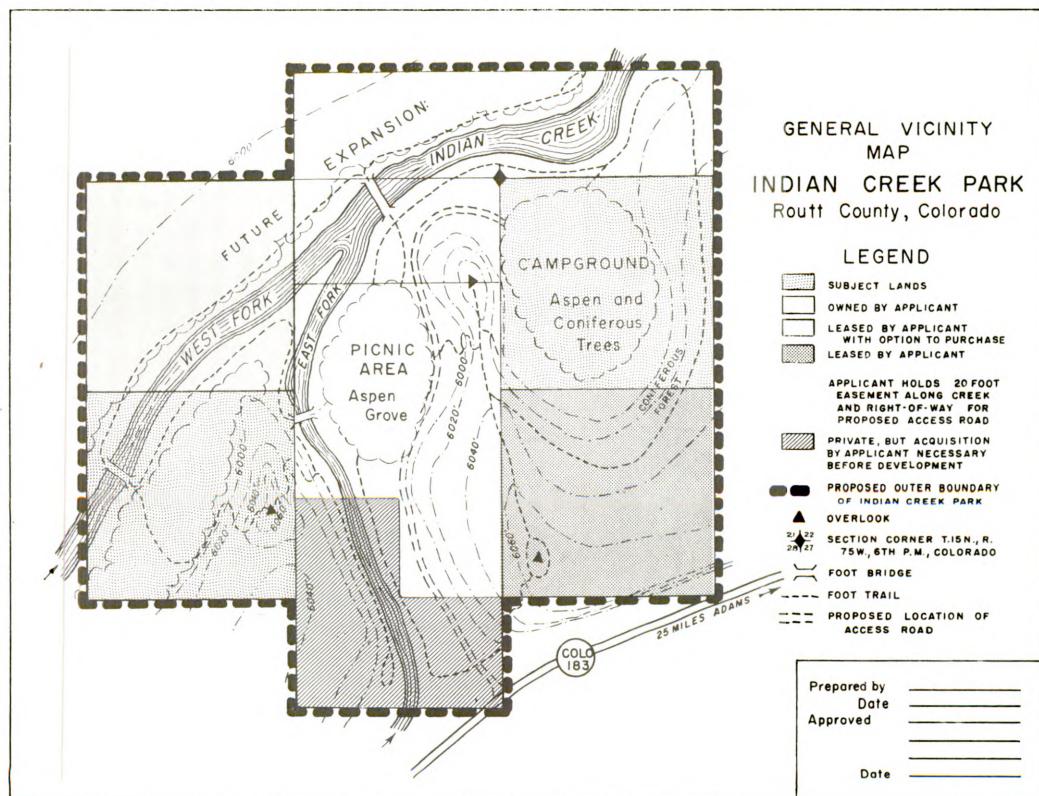


Illustration 6

Timetable for development of the Indian Creek Park

The plan is to develop the park over a 5-year period which will commence with the acquisition of the lands applied for. The proposed timetable for development will approximate the following:

First Year

1. Acquisition and rental costs:

Purchase of lands applied for, 80 acres @ \$2.50/acre	\$ 200
Annual rental of other property within park	100
Purchase of 30 acres now impeding full utilization and development of Indian Creek Park	5,500

2. Development costs:

Surveys for road and trail construction; development plans for picnic grounds and campgrounds	<u>5,000</u>
	10,800

Second Year

Annual rental of leased lands	100
Construction of access and interior roads and parking area	12,500
Initial construction of picnic grounds	10,000
Initial construction of foot trails	<u>750</u>
	23,350

Third Year

Annual rental of leased lands	100
Completion of picnic grounds	10,000
Completion of foot trails	1,500

Fourth Year

Annual rental of leased lands	100
Initial construction of campground	5,000
Construction of two foot bridge	<u>3,000</u>
	8,100

Fifth Year

Annual rental of leased lands	100
Completion of campground	7,000
Construction of one foot bridge	<u>1,500</u>
	8,600

Total \$62,450

Illustration 7

Management Plan

In consideration of the nominal price of \$2.50 per acre, the Routt County Park Commission agrees to the following commitments, which commitments will be incorporated by reference in the patent conveying the subject lands:

1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.
2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to and use of the area than is charged at other comparable installations managed by State and local agencies. The Commission will submit to the Bureau of Land Management its schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modification by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.
3. To develop and manage the lands in accordance with the approved program of utilization, submitted as an appendix to this application
4. To secure the approval of the Secretary of the Interior or his delegate of all plans of construction prior to commencing actual construction.

5. To maintain in a satisfactory condition the facilities constructed on these lands.
6. To maintain the commercial timber in the area in its natural condition to enhance the value of the park; and to allow the Bureau of Land Management to remove, in a manner consistent with the recreational objectives of the area, such trees as may be necessary either to permit construction of facilities, or for the protection of the public or because the trees are dead or dying, and to retain the revenues from the sale of such trees.

This marina is being constructed on Bear Lake in northeast Utah by the Utah State Park Department. The site was purchased under the Recreation and Public Purposes Act.



Illustration 8

S
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P (Serial No.)
L
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4-1048

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at _____, is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the (name of claimant), according to the provisions of the Act of Congress of June 14, 1926 (44 Stat. 741, 43 U.S.C. 869), as amended by the Acts of June 4, 1954 (68 Stat. 173), and September 21, 1959 (73 Stat. 571), for the following described land:

The area described contains _____ acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the said Acts of Congress, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said (name of claimant), the tract above described, for (specific use) purposes only; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said (name of Claimant), and to its successors forever (if patent issues to a state, just "forever" follows the name), subject, however, to the following reservations, conditions and limitations:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States.

There is also reserved to the United States, all mineral deposits in the land above described, together with the right to mine and remove the same, under applicable laws and regulations to be established by the Secretary of the Interior.

Provided, that, if the patentee or its successor attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary of the Interior or his delegate, or prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors (including without limitation, lessees, sublessees and permittees), to prohibit or restrict, directly or indirectly, the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, or national origin, title shall revert to the United States.

If the patentee or its successor in interest does not comply with the provisions of the approved plan of development, filed on _____ with the Bureau of Land Management, or with the approved plan of management, filed on _____ with the BLM, or by any revision thereof approved by the Secretary of the Interior or his delegate, said Secretary or his delegate, after due notice, and opportunity for a hearing, may declare the terms of this grant terminated in whole or in part. The patentee, by acceptance of this patent, agrees for itself and its successors in interest that such declaration shall be conclusive as to the facts found by the Secretary or his delegate and shall, at the option of the Secretary or his delegate, operate to revest in the United States full title to the lands involved in the declaration.

The Secretary, or his delegate, may in lieu of said forfeiture of title require the patentee or its successor in interest to pay the United States an amount equal to the difference between the price paid for the land by the patentee prior to issuance of this patent and 50 percent of the fair market value of the patented lands, to be determined by the Secretary or his delegate as of the date of issuance of this patent, plus compound interest computed at four percent beginning on the date this patent is issued.

IN TESTIMONY WHEREOF, the undersigned officer of the Bureau of Land Management, in accordance with section 1 of the act of June 17, 1948 (62 Stat., 476, 43 U. S. C. sec. 15), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the _____ day of _____ in the year of our Lord one thousand nine hundred and _____ and of the Independence of the United States the one hundred and _____

For the Director, Bureau of Land Management.

By _____
Chief, Patents Section.

Illustration 9

Form 4-1270
(August 1962)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LEASE OF LANDS FOR RECREATION OR PUBLIC PURPOSES

Office

Serial Number

This lease entered into on this day of , 19 , by the United States of America, the

Lessor, through the Authorized Officer of the Bureau of Land Management, and

, hereinafter
called the Lessee, pursuant and subject to the terms and provisions of the Act of Congress approved June 14, 1926
(44 Stat. 741; 43 U.S.C. 869 *et. seq.*) as amended, and to all regulations of the Secretary of the Interior now in force
which are made a part hereof,

WITNESSETH:

Sec. 1. The Lessor, in consideration of the rents to be paid and the conditions to be observed as hereinafter set
forth, does hereby grant and lease to the Lessee the right and privilege of using for the purposes hereinafter set forth
the following described lands:

containing acres, together with the right to construct and maintain thereon all buildings or other improvements
necessary for such use, for a period of years, the rental to be \$ per annum. If, at the expiration
date of the lease the Authorized Officer of the Bureau of Land Management shall determine that the lease should be
renewed for the period of time specified in the lease, the Lessee herein will be accorded a preference right thereto
upon such terms as may be fixed by the Lessor. The Lessee may use the premises for

Sec. 2. There are reserved to the United States all
mineral deposits in said lands, together with the right to
mine and remove the same under applicable laws and
regulations to be prescribed by the Secretary of
the Interior.

Sec. 3. The Lessor reserves the right of entry, by
(a) Any Authorized Officer of the Bureau of Land
Management, upon the leased area and into the buildings
constructed thereon for the purpose of inspection.

(b) Federal Agents and Game Wardens upon the
leased area on official business.

Sec. 4. In consideration of the foregoing, the Lessee
hereby agrees:

(a) To improve and manage the leased area in
accordance with the plan of improvement and management
designated as

and approved by the Authorized Officer of the Bureau of
Land Management on , 19 , or
any modification thereof hereinafter approved by the
Authorized Officer of the Bureau of Land Management,
and to maintain all improvements during the term of this
lease in a reasonably good state of repair.

(b) To pay the Lessor the rental above set forth
in advance during the continuance of this lease.

(c) Not to allow the use of the lands described in
this lease for unlawful purposes, or for any purpose not
specified in the lease unless consented to under its
terms; nor to prohibit or restrict, directly or indirectly,
or permit its agents, employees, contractors, or sub-
contractors (including, without limitation, lessees,
sublessees, and permittees), to prohibit or restrict,

directly or indirectly, the use of any part of the leased
premises or any of the facilities thereon by any person
because of such person's race, creed, color, or national
origin.

(d) Not to assign this lease or to change the use of
the land, without first receiving the consent of the
Authorized Officer of the Bureau of Land Management.

(e) That this lease may be terminated after due
notice to the Lessee upon a finding by the Authorized
Officer of the Bureau of Land Management that the
Lessee has failed to use the leased lands for the
purposes specified in this lease for a period of
consecutive years; or that all or part of the lands is
being devoted to some other use not consented to by the
Authorized Officer; or whenever the Lessee shall fail
to pay the rental in advance or otherwise fail to comply
with any provisions of this lease.

(f) That upon the termination of this lease by
expiration, surrender, or cancellation thereof, the Lessee
shall surrender possession of the premises to the
United States in good condition and shall comply with
such provisions and conditions respecting the removal
of the improvements and equipment of the property as
may be made by the Authorized Officer of the Bureau of
Land Management.

(g) To take such reasonable steps as may be needed
to protect the surface of the leased area and the natural
resources and improvements thereon.

(h) Not to cut timber on the leased area without prior
permission of, or in violation of the provisions and conditions
made by, the Authorized Officer of the Bureau of
Land Management.

Sec. 5. Nondiscrimination Clauses. In connection with the performance of work under this contract, the Lessee agrees as follows:

(a) The Lessee will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Lessee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, promotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Lessee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(b) The Lessee will, in all solicitations or advertisements for employees placed by or on behalf of the Lessee state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(c) The Lessee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency Contracting Officer, advising the said labor union or workers' representative of the Lessee's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Lessee will comply with all provisions of Executive Order No. 10925 of March 6, 1961, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

(e) The Lessee will furnish all information and reports required by Executive Order No. 10925 of March 6, 1961, and by the rules, regulations, and orders of the said Committee, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Committee for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Lessee's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled in whole or in part and the Lessee may be declared ineligible for further Government contracts in accordance with procedures authorized

in Executive Order No. 10925 of March 6, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order or by rule, regulation, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.

(g) The Lessee will include the provisions of the foregoing paragraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order No. 10925 of March 6, 1961, so that such provisions will be binding upon each subcontractor or vendor. The Lessee will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however, that in the event the Lessee becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Lessee may request the United States to enter into such litigation to protect the interests of the United States.*

Sec. 6. The Lessee may surrender this lease or any part thereof by filing with the Authorized Officer of the Bureau of Land Management a written relinquishment, in duplicate, which shall be effective as of the date of acceptance by that officer, subject to the payment of all accrued rentals and to compliance with the provisions of section 4(f) hereof and, subject to the continued obligation of the Lessee to full compliance with applicable lease terms and regulations as to any unrelinquished portion of the leasehold.

Sec. 7. The Lessee further agrees to comply with and be bound by those additional terms and conditions identified as
and which are made a part hereof.

Sec. 8. No Member of, or Delegate to, the Congress, or Resident Commissioner, after his election or appointment, and either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, except as otherwise provided in 43 CFR Part 7, shall be admitted to any share or part of this lease, or derive any benefit that may arise therefrom, and the provisions of Title 18, U.S.C., sections 431-433, relating to contracts, enter into and form a part of this lease, so far as the same may be applicable.

IN WITNESS WHEREOF:

THE UNITED STATES OF AMERICA

By _____
(Signature of Lessee) _____
(Authorized Officer)

(Signature of Witness)

(Title)

(Date)

GPO 857872

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

State Offices, Land Offices, District Offices

ALASKA

State Office:
555 Cordova Street, Anchorage
Land Offices:
555 Cordova Street, Anchorage
516 Second Avenue, Fairbanks

ARIZONA

State Office:
Federal Building, Room 3022
230 North First Avenue
Post Office Box 148, Phoenix 25
Land Office:
Federal Building, Room 3204
230 North First Avenue
Phoenix 25

District Offices:

Arizona Strip Grazing District Office
Hafen Building,
53 North Main Street
St. George, Utah
Phoenix District Office
Federal Building
230 North First Avenue,
Phoenix 25
Safford District Office
Room 203, Post Office Building,
Post Office Box 786
Safford

CALIFORNIA

State Office:
U.S. Courthouse and Federal Building, Room 4017
650 Capitol Avenue,
Sacramento 14
Land Offices:
U.S. Courthouse and Federal Building, Room 4017
650 Capitol Avenue,
Sacramento 14
1414 Eighth Street
Post Office Box 728, Riverside

District Offices:

Bakersfield District Office
223 Chester Avenue,
Bakersfield
Redding District Office
2460 Athens Avenue, Redding
Riverside District Office
1414 Eighth Street
Post Office Box 728, Riverside

Sacramento District Office
Capitol Building, Room 4017
650 Capitol Avenue,
Sacramento 14

Susanville District Office
Fifth and Cedar Streets,
Post Office Box 539
Susanville

Ukiah District Office
168 Washington Avenue,
Ukiah

COLORADO

State Office and Land Office:
667 Gas and Electric Building
910 15th Street, Denver 2

District Offices:

Canon City District Office
1005 Main Street
Post Office Box 710,
Canon City

Craig District Office
Wyman Building
Post Office Box 248, Craig

Denver District Office
214 Old Custom House Building,
Denver

Durango District Office
Jack Lee Building
1211 Main Avenue, Durango

Grand Junction District Office
225 Post Office Building
Post Office Box 209,
Grand Junction

Montrose District Office
Smith Building
301 North Cascade Avenue
Post Office Box 419, Montrose

IDAHO

State Office and Land Office:
323 Federal Building
Post Office Box 2237, Boise

District Offices:

Boise District Office
230 Collins Road, Boise

Burley District Office
Birch Building,
Post Office Box 460
200 South Oakley Highway,
Burley

Malta District Office
Gordon Peters Building
Post Office Box B, Malta

Miles City District Office
217 South Eighth Street
Post Office Box 960, Miles City

Missoula District Office
316 Savings Center Building
Post Office Box 1041, Missoula

NEVADA

State Office and Land Office:
560 Mills Street
Post Office Box 1551, Reno

District Offices:

Battle Mountain District Office
North Second and Scott Streets,
Battle Mountain

Carson City District Office
807 North Plaza Street
Post Office Box 633,
Carson City

Elko District Office
2002 Idaho Street
Post Office Box 592, Elko

Ely District Office
777 Aultman Street
Post Office Box 1289, Ely
Las Vegas District Office
211 Ogden Street
Post Office Box 1990,
Las Vegas

Winnemucca District Office
East Highway,
Post Office Box 71,
Winnemucca

NEW MEXICO, OKLAHOMA

State Office and Land Office:
Greer Building
113 Washington Avenue
Post Office Box 1251, Santa Fe

District Offices:

Albuquerque District Office
1304 Fourth Street NW.
Post Office Box 733,
Albuquerque

Farmington District Office
703 West Broadway,
Farmington

Las Cruces District Office
1705 North Seventh Street
Post Office Box 1420,
Las Cruces

Roswell District Office
1902 South Main Street
Post Office Box 1458, Roswell

Socorro District Office
350 Neal Street
Post Office Box 1456, Socorro

OREGON

State Office and Land Office:
710 Northeast Holladay,
Portland 12

District Offices:
Baker District Office
Resort and Colorado Streets
Post Office Box 591, Baker
Burns District Office
74 Alvord Street
Post Office Box 713, Burns
Coos Bay District Office
375 Park Avenue
Post Office Box 539, Coos Bay
Eugene District Office
1255 Pearl Street
Post Office Box 392, Eugene
Lakeview District Office
357 North L Street
Post Office Box 429, Lakeview
Medford District Office
1133 South Riverside Avenue
Post Office Box 1106, Medford
Coeur d'Alene District Office
Millheiserler Building,
1814 North Fourth Street
Post Office Box 30
Coeur d'Alene
Idaho Falls District Office
Post Office Box 1867
East Lincoln Road, Idaho Falls
Salmon District Office
Post Office Box 385, Salmon
Shoshone District Office
Post Office Box 308, Shoshone

MONTANA, NORTH DAKOTA, SOUTH DAKOTA

State Office and Land Office:
Crum-McKinnon Building
1245 North 29th Street,
Billings

District Offices:
Billings District Office
3302 Fourth Avenue North
Billings
Dillon District Office
Stallings Building
Post Office Box 191, Dillon
Lewistown District Office
Bank Electric Building
Post Office Box 699, Lewistown

Prineville District Office
185 East Fourth Street
Post Office Box 37, Prineville
Roseburg District Office
2583 West Harvard Avenue
Post Office Box 1045, Roseburg
Salem District Office
3550 Liberty Road SE.
Post Office Box 3227, Salem
Vale District Office
Butler Building
365 A Street, West
Post Office Box 338, Vale

UTAH

State Office and Land Office:
Darling Building
Post Office Box 777,
Salt Lake City

District Offices:
Brigham City District Office
Box Elder County Courthouse,
Brigham City
Cedar City District Office
Parks Building
154 North Main Street,
Cedar City
Fillmore District Office
10 East Fifth North
Post Office Box 778
Fillmore

Kanab District Office
320 North First East, Kanab
Monticello District Office
AEC Building No. 13
Post Office Box 1327
Monticello

Murray District Office
4913 South State Street,
Post Office Box 7305
Murray

Price District Office
Professional Building
Post Office Box 552, Price
Richfield District Office
CPA Building
118 North Main Street,
Richfield
Vernal District Office
Cooper Building
91 West Main Street
Post Office Box 143, Vernal

WASHINGTON

State Office:
710 Northeast Holladay,
Portland 12, Oregon

Land Office:
680 Bon Marche Building
North 214 Wall, Spokane

WYOMING, NEBRASKA, KANSAS

State Office and Land Office:
Federal Recreation Building
2002 Capitol Avenue
Post Office Box 929, Cheyenne

District Offices:
Casper District Office
249 N. Wolcott Street
Casper
Lander District Office
318 Post Office Building
Post Office Box 589, Lander
Pinedale District Office
Korfanta Building
Post Office Box 188, Pinedale
Rawlins District Office
319 Osborne Building
Post Office Box 670, Rawlins
Rock Springs District Office
126 Elk Street
Post Office Box 1088,
Rock Springs
Worland District Office
1700 Robertson Avenue
Post Office Box 119, Worland

EASTERN STATES

Division of Field Services and Land
Office:
LaSalle Building
1728 L Street NW.
Washington 25, D.C.

Bureau of Outdoor Recreation

Southeast:

706 Walton Building
Post Office Box 953
Atlanta 1, Ga.

Lake Central:

P.O. Box 351, Downtown Station
Ann Arbor, Michigan
Omaha, Nebr.

Mid-Continent:

Bureau of Outdoor Recreation
Post Office Box 2744
Denver 1, Colo.

Pacific-Southwest:

180 New Montgomery Street
San Francisco 5, Calif.

Northeast:

143 South Third Street
Philadelphia 6, Pa.

Pacific Northwest:

U.S. Courthouse, Room 310
Seattle, Wash.



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